

invention for which protection is sought in this application. Claims 2,3,4,9,10,12,14 and 17 are amended with respect to their dependency on new claim 18. Claims 2-7, and 9-18 remain under consideration.

#### **Summary of the Office Action**

Claims 1-16 stand rejected under 35USC102(e) on the basis of the cited reference Miyazawa, et al, U.S. Patent No. 6,070,139. In addition claims 17 stands rejected under 35USC103(a) based on the cited reference Miyazawa, in view of the reference Asija, U.S. Patent No. 4,523,331. The Examiner is respectfully requested to reconsider his rejection in view of the above amendments and the following arguments.

#### **The Invention**

As described in new claim 18, a method is described for recognizing inputs and selecting matching words. Candidate matching words are presented to the user for selection in an order of preference based on a confidence value which is further weighted by a probability of use, namely the "overall probability of use". The probability of use is calculated based on prior use of the presented word.

#### **Discussion of the Cited References**

The reference Miyazawa is cited in support of the examiner's anticipation rejection and describes a system for speech recognition which utilizes a first recognition system at a satellite terminal based on speaker specific voice templates which generates a perceived word. This output is transmitted to a main recognition system for further processing. The further processing involves comparison of the perceived words with non-speaker specific speech feature reference templates for pre-

registered words and general contextual rules. There is no indication of the use of a probability factor based on a history of use to order the preference of matching words for selection.

#### **The Issue of Anticipation**

It is well settled that a claim is anticipated, "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (See CHISOLM, Federal Circuit Guide, Pg. 1221).

"...it must be shown that the reference contains all of the elements of the claims apart from irrelevant or merely extraneous variations, and the elements are arranged in the same way to achieve the same result which is asserted to be an inventive function..." 454 U.S. 1129 (1981)

The elements of the claim and their function and purpose within the claim must be reviewed in a manner similar to an infringement analysis. If the device described in the cited reference would not infringe if it was later, it will not anticipate if the reference is earlier.

Applying this standard to the device of the reference Miyazawa it becomes clear that it is missing significant elements of newly submitted claim 18. The system of Miyazawa cannot perform the steps of:

"calculating an overall probability from the confidence value of the identified term and a probability value of a matching data record, said probability value describing the probability of the data record being used again; and

further processing said identified terms, according to said overall probability."

Accordingly the system of Miyazawa would not infringe the claim 18, therefore, the reference Miyazawa does not support the examiner's rejection based on anticipation.

The above arguments are equally applicable to the rejected dependent claims.

Applicant submits that, since the reference Miyazawa is deficient as indicated above, it does not support the examiner's rejection of claim 17 based on obviousness. The citation of the reference Asija is believed, therefore, to be moot in view of dependency of claim 17 from new independent claim 18.

#### SUMMARY

In view of the amendments to this application and the arguments stated above, Applicant submits that the claims under consideration contain patentable subject matter and favorable action by the Examiner is respectfully requested.

A one month extension of time in which to file this response is hereby requested retroactively. A check in the amount of \$110.00 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated

with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231.

Date: 10/31/02

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Person Making Deposit

Appendix A to Response in Application No.: 09/614,276MARKED UP CLAIMS

2. (Amended) Method according to Claim [1]18, characterized in that the confidence value is a value from an interval between a number, preferably 1, corresponding to reliable identification, and that for an input which cannot be identified, corresponding to 0, including these values.

3. (Amended) Method according to Claim [1]18, characterized in that the identified terms are announced and/or displayed to a user as a system response, starting with the term identified as being the most reliable, on the basis of their overall probability[confidence values].

4. (Amended) Method according to Claim [1]18, characterized in that, for each identified term, those data records which are appropriate for the identified terms are looked for in a list of stored data records.

9. (Amended) Method according to Claim [8]18, characterized in that the probability value for a data record corresponds to the ratio of the number of times this data record has been used to the total number of times all the data records have been used.

10. (Amended) Method according to Claim [8]9, characterized in that an announcement/display sequence of the data records is defined as a function of their overall probability [value and the confidence value of the associated term].

12. (Amended) Method according to Claim [1]18, characterized in that, if the input is a voice input, the confidence value is established in the normal manner for voice recognition.

14. (Amended) Method according to Claim [1]18, characterized in that the input is made via an alphanumeric input device, with the terms entered in this way first of all being assigned the confidence value for reliable identification.

17. (Amended) Method according to Claim [1]18, characterized in that the input is an image input.

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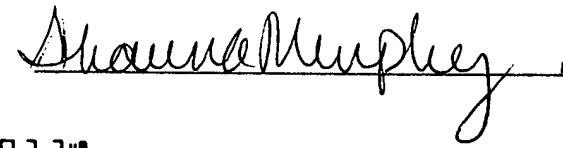
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